IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NORMA J. FIORENTINO, CRAIG SAUNTER, JULIA SAUNTER, MICHAEL ELY, ANDREA ELY, RAY HUBERT, VICTORIA HUBERT, RONALD CARTER, SR., JEAN CARTER, WILLIAM T. ELY, SHEILA A. ELY, SAMANTHA SEBJAN, JIMMY LEE SWITZER, VICTORIA SWITZER, NOLEN SCOTT ELY, MONICA LAURA MARTA-ELY, JESSICA ELY, JUSTIN ELY, NOLEN SCOTT ELY, as the Executor of the Estate of Kenneth Ray Ely, RICHARD SEYMOUR, WENDY SEYMOUR, TODD CARTER, JEANNETTE CARTER, PATRICIA FARNELLI, ERIK B. J. ROOS, SUSAN M. ROOS, FRANK NOBLE, KAREN NOBLE, RAYMOND KEMBLE, EMMAGENE E. SAMOYELY, Plaintiffs	:	
v.	:	3:CV-09-2284 (JUDGE VANASKIE)
CABOT OIL & GAS CORPORATION, GAS SEARCH DRILLING SERVICE CORPORATION Defendants	:	

ORDER

IT IS HEREBY ORDERED THAT:

1. A Case Management Conference will be conducted by the Court on February 9, 2010, at 8:30 a.m., in Room 401, Federal Building, 235 North Washington Avenue, Scranton, PA. This conference may be conducted by telephone in accordance

with the procedure on the attached Notice.

2. The purpose of this conference is to discuss all aspects of this case, including any pending motions, as well as a schedule for (a) the completion of discovery, (b) amendment of pleadings, (c) joinder of parties, (d) filing of motions, (e) counsel's compliance with the disclosure requirements of Rule 7.1 of the Federal Rules of Civil Procedure; and (f) trial. Presently, joinder of third-party defendants is governed by Local Rules 14.1 and 14.2; amendment of pleadings by Fed.R.Civ.P. 15; the filing of pretrial motions by Local Rule 7.1; and the closing of discovery by Local Rule 26.4. Unless modified at the Case Management Conference, these rules will continue to apply. The subjects for consideration at the Case Management Conference will also include those matters set forth in Fed.R.Civ.P. 16(b) and (c), in addition to the following:

a) Whether, during discovery, the parties will exchange documents in digital format; whether there are any issues as to the format to be used; and whether there are any issues as to the alteration of documents that may routinely occur when paper documents are converted to digital format.

b) Whether the parties contemplate the use of any photographs in digital format; and whether there are any issues as to how and when digital alteration of photos is to be disclosed.

c) Whether the parties plan to create and exchange video in digital format; as well as the arrangements for the synchronization of the audio and video of any videotaped depositions in digital format that may be shown at trial.

d) Whether there are any issues as to the discovery of digital materials other than those identified in paragraphs 1 through 3 above (such as database), and whether the parties have agreed on ground rules for the routine business practices that affect the retention of these digital materials.

3. It is anticipated that, prior to the Case Management Conference, the parties, at a minimum, will have complied with the disclosure requirements of Fed.R.Civ.P. 26(a) so that a reasonable discussion of the merits will take place at the conference.

4. In accordance with Fed.R.Civ.P. 26(f) and Local Rule 16.3, lead counsel for each party shall, as soon as practicable and in any event at least five (5) days prior to the Case Management Conference, meet and discuss in good faith the matters set forth on the Joint Case Management Plan, a copy of which is included in our Local Rules of Court and may be obtained from the Clerk's Office. The completed Joint Case Management Plan must be filed at least five (5) days prior to the Case Management Conference. Sanctions may be imposed if a party or a party's attorney fails to participate in good faith in the conference required by Fed.R.Civ.P. 26(f) and Local Rule 16.3(a). See, e.g., Fed.R.Civ.P. 37(g).

5. If the parties agree to refer this matter to a Magistrate Judge for

pretrial and trial purposes, they should notify the Court in writing no later than three (3) days before the scheduled case management conference, and the conference will be canceled. The case will then be referred to a Magistrate Judge who will re-schedule the case management conference.

6. In accordance with Fed.R.Civ.P. 16(c) and Local Rule 16.2, at least one of the attorneys for each party participating in the Case Management Conference shall be familiar with the case; shall have authority to enter into stipulations and to make admissions regarding all matters that the parties reasonably anticipate may be discussed; and shall have complete settlement authority. If an attorney does not have complete settlement authority, the party or person with full settlement authority shall be available by telephone. Counsel is responsible for notifying the person with settlement authority of the requirements of Local Rule 16.2, as well as the date of the Case Management Conference.

7. It is the affirmative duty of both counsel and the Court to avoid undue cost or delay in litigation. Counsel should be familiar with the Expense and Delay Reduction Plan adopted by the United States District Court for the Middle District of Pennsylvania, and are expected to comport themselves in a manner intended to secure the just, speedy and inexpensive determination of this action.

8. The Court has implemented an “Electronic Case Filing (ECF)” system. This system enables counsel to file and docket pleadings, motions, briefs, etc. directly from

their offices via the internet. Information on the Court's ECF system can be obtained at the Court's website, www.pamd.uscourts.gov. Counsel are directed to familiarize themselves with the Court's ECF system. Effective September 3, 2003, counsel may be required to show cause why they should not be required to file documents through the ECF system. Use of the system will be discussed at the case management conference.

9. Please note that the preferred way of submitting correspondence to me is via e-mail to Chambers_of_Judge_Thomas_I._Vanaskie@pamd.uscourts.gov.

s/ Thomas I. Vanaskie
Thomas I. Vanaskie
United States District Judge

To All Counsel:

Because of the time and expense involved in appearing in person you may wish to participate in the case management conference established by the attached notice via a telephone conference call. Should you wish to do so please:

(1) Secure the concurrence of all other counsel in this procedure.

(2) Notify me in writing as soon as possible that a conference call will be substituted for the meeting.

(3) Counsel who first elect to proceed by telephone shall arrange for the conference call, which shall be held on the date at the time specified in the notice. [Phone (570) 207-5720].

I would appreciate having all counsel ready to proceed when my office is contacted.

Very truly yours,

Thomas I. Vanaskie
United States District Judge